IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 22 (M/S) of 2006

Naseer Ahmad S/o Sri Shabbir,
Aged about 50 years,
Resident of Village Mohammanpur Kunhari,
Tehsil Jwalapur, District-Haridwar. ….Petitioner

Vs.

1. Uttar Pradesh Sehkari Gram Vikas Bank Ltd.
   Head Officer 10 Mall Avenue, Lucknow
   Though its General Manager.
2. Uttar Pradesh Sehkari Gram Vikas Bank Ltd.
   Branch Office Haridwar, District- Haridwar,
   Through its Branch Manager.
3. State of Uttaranchal Through Secretary in the
   Department of Revenue, Dehradun.
4. Collector of Haridwar. …..Respondents

Sri Rajesh Joshi holding bried for T.A. Khan.
Learned counsel for the petitioner.
Sri. K.K. Shah learned counsel for the respondent.
Sri Nand Prasad learned Standing Counsel for the State.

Dated: 27-3-2006

Hon'ble B.S. Verma, J.

Heard Sri Rajesh Joshi holding brief of Sri T.A. Khan learned counsel for the petitioner, Sri K.K. Shah learned counsel for the respondents and Sri Nand Prasad learned Standing counsel for the State.

The present writ petition has been filed by the petitioner with a prayer to issue a writ, order or direction in the nature of certiorari quashing the letter dated 12-12-2005 issued by the respondent No. 2 (Annexure No. 7) to the writ petition.

By the letter dated 12-12-2005, the Bank had issued the notice to the petitioner to deposit amount of Rs. 90,000/-. Accordingly to the petitioner, he had already deposited the amount.

The petitioner ought to have replied to the Bank that he had already deposited the amount. According to learned counsel for the respondent Bank, the petitioner had not deposited any amount. It is disputed question whether he had deposited the amount or not.

The petitioner may move an application/representation before the Manager of Bank concerned narrating the facts stated in the writ petition. The Manager of the U.P. Sahakari Gram Vikas Bank Ltd is directed to decide the representation of the petitioner with a reasoned order after making an inquiry whether he had deposited the amount or not within a period of one month from the production of the certified copy of the order. Till the decision of the representation, no coercive measure shall be taken against the petitioner.

With the said observation, the writ petition is disposed of.

(B.S.Verma, J.)

Dated:- 27-3-2006
M.K.